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October 13, 2021

Via ECF

The Honorable Edward S. Kiel
United States Magistrate Judge
Martin Luther King Jr. U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

RE: Blueprint Capital Advisors, LLC v. Murphy, et al., No. 20-cv-07663

Dear Magistrate Judge Kiel:

I submit this letter on behalf of all parties in order to update the Court on the status of discovery in advance of the October 18, 2021 status conference in the above-caption action.

Plaintiff's Position:

For the reasons set forth in Plaintiff's appeal of the Magistrate Judge's decision on the Defendants' motions to stay, we believe this matter is improperly stayed, certain of the predicates for that ruling no longer exist, and Plaintiff should be permitted to proceed with discovery. Accordingly, Plaintiff requests to be heard on this at the conference.

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Defendants' Position:

At the last status conference, on July 8, 2021, the Court stayed discovery in this action pending resolution of the Defendants' motions to dismiss the Amended Complaint (the "July 8 Order"). On July 22, 2021, Plaintiff appealed the July 8 Order to Judge Neals. (ECF No. 170.) That appeal has been fully briefed and is currently pending before Judge Neals. As a result, Defendants respectfully submit that there are no issues to address at the upcoming conference.

Respectfully,

/s/ Scott D. Musoff

Scott D. Musoff
Bar No. 050031994

cc: All counsel of record (via ECF)